

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Eric Hughes

Case No.

Case: 2:24-mj-30393
Assigned To : Unassigned
Assign. Date : 9/11/2024
Description: COMP USA V. SEALED
MATTER (KB)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 29, 2024 in the county of Oakland in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
18 U.S.C. § 922 (g)(1)	Felon in possession of a firearm.

This criminal complaint is based on these facts:

See the attached affidavit.

Continued on the attached sheet.



Complainant's signature

Austin Dawn, Special Agent-ATF
Printed name and title

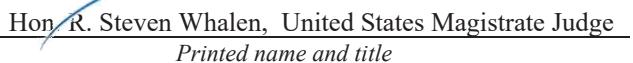


Judge's signature

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: September 11, 2024

City and state: Detroit, Michigan


Hon. R. Steven Whalen, United States Magistrate Judge
Printed name and title

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Austin Dawn, being duly sworn, hereby state:

INTRODUCTION

1. I am a Special Agent (SA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and began my tenure with the ATF on November 05, 2023. I am currently assigned to the Detroit Field Division, Group II, Crime Gun Enforcement Team (CGET). As an ATF SA, I have received specialized training at the Federal Law Enforcement Training Center including the Criminal Investigator Training Program and Special Agent Basic Training. During these programs I received a total of twenty-seven weeks of instruction (400+ hours) on subjects including federal criminal law, conducting criminal investigations, interview techniques, surveillance, undercover operations, evidence collection and firearms trafficking.

2. Before joining the ATF, I earned my bachelor's degree in criminal justice from Oakland University and spent three years with the United States Customs and Border Protection (CBP). During my three years with CBP, I conducted hundreds of inspections of vehicles for drugs, firearms, money, and other contraband entering and leaving the United States. I also conducted hundreds of interviews with

individuals attempting to make entry into the U.S. and suspected of conducting illegal activity inside the U.S.

3. This affidavit is made in support of an application for a criminal complaint for Eric HUGHES (DOB: XX/XX/1974).

4. I have probable cause to believe that HUGHES, who knew he was a convicted felon, knowingly possessed a firearm, which traveled in interstate commerce, in violation of 18 U.S.C. § 922(g)(1).

5. I make this affidavit based on my participation in this investigation, reports from other law enforcement agents, communications with others who have personal knowledge of the events and circumstances described herein, and information gained from my training and experience.

6. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter nor all details or all facts relating to this investigation.

PROBABLE CAUSE

7. On August 29, 2024, the Oakland County Sheriff Office (OCSO) Narcotics Enforcement Team (NET) executed state search warrants, including at the residence of Eric HUGHES located at XXX North Tasmania Avenue, Pontiac, Michigan.

8. During the execution of the search warrant at HUGHES' residence, law enforcement agents recovered a total of seven firearms, including:

- a. One K-mart, 12-gauge, sawed-off shotgun (due to having a barrel less than 16" and an overall length less than 26") (See Image 001 below);
- b. One SCCY CPX-2 9mm pistol loaded with one round in the chamber and two rounds inserted in the magazine;
- c. One Iver Johnson revolver with an unknown serial number;
- d. One Beretta, 950B, Pistol, 6.35 caliber;
- e. One second Iver Johnson revolver with an unknown serial number;
- f. One Springfield, 16-auge shotgun; and
- g. One Champion, 12-gauge shotgun.

IMAGE 001



9. During the execution of the search warrant, the other adult resident of XXX North Tasmania Street was present. During an interview with OCSO detectives, the other adult resident denied knowledge of any firearms or narcotics at the residence. Further, during detectives' preliminary review of HUGHES' recovered cellphone, they observed photographs of firearms that appear to be the same firearms recovered from HUGHES' residence.

10. In addition, law enforcement recovered evidence of HUGHES' ownership of the property at XXX North Tasmania Street, including: a Claim Deed with the name Eric Dewayne HUGHES listed along with the address XXX North

Tasmania Street, and a notice from the City of Pontiac addressed to XXX North Tasmania St. Also, while law enforcement personnel were completing search of XXX North Tasmania Street, a mailman delivered a license plate wrapped in clear plastic. On the clear plastic, the license plate was addressed to Eric Dewayne HUGHES at XXX North Tasmania Street from Michigan Secretary of State.

11. Further, law enforcement recovered a substance suspected to be cocaine from inside an MSU drawstring bag on the TV stand inside the main bedroom. The suspected cocaine was weighed and determined to be approximately 3.02 grams, and it was field tested positive for cocaine.

12. HUGHES was located and arrested at a separate location. During his arrest, law enforcement agents recovered keys to the residence at XXX North Tasmania Avenue.

13. I searched the Law Enforcement Information Network (LEIN) and learned that HUGHES has the following felony convictions:

- a. Two convictions on September 27, 1995, of Controlled Substance Possession (Cocaine, Heroin, or other <25 grams), 6th Circuit Court.
- b. Four convictions on March 27, 1998, of Controlled Substance Delivery/Manufacturing (Cocaine, Heroin, or other <50 grams), 6th Circuit Court.

- c. March 27, 1998, Controlled Substance Possession (Cocaine, Heroin, or other <25 grams), 6th Circuit Court.
- d. July 13, 2004, Controlled Substance Delivery/Manufacturing (Cocaine, Heroin, or other <50 grams), 6th Circuit Court.
(Convicted by plea agreement with a minimum prison time of 1 year)
- e. January 12, 2007, Conspiracy Controlled Substance Delivery/ Manufacturing (Cocaine, Heroin, or other <50 grams), 53rd Circuit Court.
- f. July 18, 2007, Controlled Substance Delivery/ Manufacturing (Cocaine, Heroin, or other <50 grams), 34th Circuit Court.
- g. July 28, 2014, Controlled Substance Possession (Cocaine, Heroin, or other <25 grams) and Habitual Offender- Fourth Offence Notice, 6th Circuit Court. (Convicted by plea agreement with a minimum prison time of 18 months)
- h. July 29, 2014, Controlled Substance Possession/ Analogues, 6th Circuit Court.
- i. January 23, 2017, Controlled Substance Possession (Cocaine, Heroin, or other <25 grams), 6th Circuit Court.

j. Two convictions on February 14, 2017, of Controlled Substance Delivery/ Manufacturing (Cocaine, Heroin, or other <50 grams), 6th Circuit Court.

14. Based on my training and experience, defendants are warned of the maximum penalty when they enter a plea of guilty to a felony. Additionally, defendants are advised that they are pleading guilty to a felony. Based on the number of HUGHES' convictions, the time he has spent incarcerated as a result of those convictions, there is probable cause to believe that HUGHES is aware of his status as a convicted felon.

15. On September 10, 2024, I contacted Special Agent Kara Klupacs, an ATF Interstate Nexus Expert, and gave her a verbal description of the recovered SCCY CPX-2 pistol, one of the firearms recovered by OCSO. Based upon the verbal description, Special Agent Klupacs advised that the firearm is a firearm as defined under 18 U.S.C. § 921 and was manufactured outside of the state of Michigan after 1898. Therefore, the weapon traveled in and affected interstate commerce.

CONCLUSION

16. I respectfully submit that there is probable cause to believe that on August 29, 2024, within the Eastern District of Michigan, Eric Hughes, who knew

he was a convicted felon, knowingly possessed a firearm, which had traveled in interstate commerce, in violation of 18 U.S.C. § 922(g)(1).

Respectfully submitted,



Austin Dawn, Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to before me and signed in my presence
and/or by reliable electronic means.



Honorable R. Steven Whalen
United States Magistrate Judge

Date: September 11, 2024